

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NANCY MURPHY and ROBERT STEWART,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	No. 22-4674
v.	:	
	:	
THOMAS JEFFERSON UNIVERSITY HOSPITALS, INC. d/b/a JEFFERSON HEALTH,	:	
Defendant.	:	

ORDER

AND NOW, this 10th day of **October 2023**, upon consideration of Defendant Thomas Jefferson University Hospital's Motion to Dismiss (ECF 28), Plaintiffs Nancy Murphy and Robert Stewart's Response in Opposition (ECF 30), Plaintiffs' Motion for Leave to File a Second Amended Complaint (ECF 29), Plaintiffs' Motion for Leave to File a Reply Brief (ECF 31), and both parties' Notices of Supplemental Authority (ECF 32 and 33), and consistent with the accompanying Memorandum of Law, it is **ORDERED** that:

1. Thomas Jefferson University Hospital's Motion to Dismiss (ECF 28) is **GRANTED** and Plaintiffs' Amended Complaint is **DISMISSED** with leave to amend;
2. Plaintiffs' Motion for Leave to File their proposed Second Amended Complaint (ECF 29) is **DENIED**;
3. Plaintiffs' Motion for Leave to File a Reply (ECF 31) is **GRANTED**. The Court has considered their proposed Reply (ECF 31-2) as if it had been docketed; and
4. If Plaintiffs can allege sufficient facts to state a claim, they shall file their Second

Amended Complaint on or before **Friday, October 27, 2023.**

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Berle M. Schiller".

Berle M. Schiller, J.